IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 7756 OF 2005

Shri Hiraman Ganpat Hajare ..Petitioner

Vs.

Shri Dattatraya Manohar Dixit
and ors. ..Respondents

Mr. G.S. Godbole for petitioner.
Mr. S.S. Deshmukh h/f Mr. R.A. Thorat for respondent nos.1 to 7.

CORAM: B.H. MARLAPALLE, J.

Date : July 12, 2006.

P.C.:

1. The impugned order passed by the Divisional Commissioner on 18/10/2005 has vacated the earlier stay order granted on 17/5/2004 and the petitioner was directed to remain in possession of the suit land during the pendency of the revision application. Admittedly, the revision is still pending before the Divisional Commissioner.

2. It is hereby directed that the petitioner shall remain in possession of the suit land with a right to cultivate the same until the revision is

decided on merits and the landlord is restrained from creating any third party interest in respect of the land during the pendency of the revision.

3. The petition is disposed of in terms of the above order.

(B.H. Marlapalle,J.)